

**CALENDAR ITEM
C01**

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08/11/09

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C. Hudson

RECREATIONAL PIER LEASE

APPLICANTS:

Brent J. Cohn and Hope Cohn, Trustees of The Cohn Family Trust dated August 9, 2005, a Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to 511 River Road, in the city of Rio Vista, Solano County.

AUTHORIZED USE:

Construction, use and maintenance of an uncovered floating boat dock with a single slip, four 19-inch diameter steel or concrete pilings, two eight-inch diameter steel pilings, bridge, and gangway as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 11, 2009.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. The Applicants are proposing to construct an uncovered floating boat dock with a single slip, four steel pilings, support piles, bridge, and gangway. In-water construction of the dock will be conducted via a crane barge that will be used to install the pilings. The dock structure components will either be set into the waterway by the crane barge or floated into place. The gangway will be supported mid-span by two support piers and anchored by the bridge and a concrete landing. The in-water work window is from August 1 through October 31 with construction anticipated

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to be complete by 2010. The Applicants have applied for a Recreational Pier Lease.

3. The Commission previously authorized the State Reclamation Board (now the Central Valley Flood Protection Board) to place and maintain bank protection at the proposed dock location pursuant to Lease No. PRC 7203.9. The Central Valley Flood Protection Board has granted authorization for the construction of the dock. The Applicants are required to maintain this authorization during the term of the lease.
4. The Applicants qualify for a Recreational Pier Lease because they are natural persons who own the littoral land that is improved with a single family dwelling.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVAL OBTAINED:

Central Valley Flood Protection Board

FURTHER APPROVALS REQUIRED:

Central Valley Regional Water Quality Control Board, the California Department of Fish and Game and the U.S. Army Corps of Engineers

EXHIBIT:

- A. Site and Location Map

PERMIT STREAMLINING ACT DEADLINE:

October 4, 2009

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RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE OF A TEN-YEAR RECREATIONAL PIER LEASE TO BRENT J. COHN AND HOPE COHN, TRUSTEES OF THE COHN FAMILY TRUST DATED AUGUST 9, 2005, A TRUST, BEGINNING AUGUST 11, 2009, FOR THE CONSTRUCTION, USE AND MAINTENANCE OF AN UNCOVERED FLOATING BOAT DOCK WITH A SINGLE SLIP, FOUR STEEL OR CONCRETE PILINGS, A BRIDGE SUPPORTED BY TWO STEEL PILINGS, AND GANGWAY AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AND LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$500,000.